

**Remarks of Police Commissioner Raymond W. Kelly  
Hearing of the House Government Reform Subcommittee on Government  
Management, Finance and Accountability  
Brooklyn Borough Hall - 209 Joralemon Street  
Monday, July 10, 2006**

**Chairman Platts, Congressman Towns, members of the Subcommittee. Good afternoon.**

**The security of New York City's ports and waterways is of huge concern to the Police Department. Today, I'd like to discuss with you the range of maritime counter-terrorism activities we engage in including our collaboration with the federal agencies that bear the primary responsibility for port security.**

**In general, information sharing between the Department and our federal partners has never been better and it is growing stronger every day. That is a credit to the various interagency initiatives I will discuss in a moment.**

**Without question, these have improved our joint efforts to protect the homeland, certainly in New York. At the same time, the complex, diffuse nature of port management and security leaves these facilities vulnerable to exploitation by terrorist cells or networks.**

**At the end of the day, we are still left with the question of who is really in charge of protecting our ports. In actuality, it is a responsibility shared among the scores of public and private stakeholders present at the ports, a situation that creates its own set of challenges.**

**Two recent cases highlight why we should be concerned about the security of our ports.**

**In 2003, working through the Joint Terrorist Task Force, the Police Department took part in an investigation that resulted in the arrests of a Queens-based Pakistani national, Uzair Paracha, and his father for conspiring to provide material support to Al Qaeda. The family owned a clothing import business in Manhattan's garment district.**

**In Pakistan, they plotted with September 11<sup>th</sup> mastermind Khalid Sheikh Mohammed to use shipping containers controlled by that company to smuggle weapons and explosives into New York for delivery to Al Qaeda operatives. Fortunately, they were arrested before that could happen.**

**We're not certain if Paracha's plan would have included recruiting operatives to pick up the deadly cargo at its port of entry. But we do know this task probably**

would have been accomplished easily given the lax security checks in place at our ports.

As was reported in the media this past March, a recent federal investigation exposed the minimal identification requirements for truck drivers seeking access to New York and New Jersey terminals. Many were revealed to have serious criminal records they were not required to disclose in their applications, including 21 individuals who had outstanding warrants.

The federal government has sought to address this problem with the creation of a secure, biometric “smart card” for workers at critical transportation facilities. However, that program has experienced significant delays and is not expected to be fully implemented until late 2007 at the earliest.

In contrast, progress in the area of information sharing has been far more expeditious. As you know, the Police Department takes part in a number of interagency initiatives with the federal government to gather and assess potential terrorist threats against critical infrastructure.

They include the Joint Terrorist Task Force with the FBI. We currently assign over 120 New York City detectives to that task force, up from the 17 investigators posted there on September 11<sup>th</sup>.

Any threat information received through the JTTF that is related to ports or waterways is shared and analyzed with the U.S. Coast Guard’s Field Intelligence Support Team, or “FIST.” As part of our excellent working relationship with the Coast Guard, the Police Department assigns a detective to the “FIST,” which also includes liaisons from numerous other federal and state agencies.

In addition, we work with the Coast Guard and other agencies through the Area Maritime Security Committees. Members of our Intelligence Division, Counterterrorism Bureau and Harbor Unit regularly participate in meetings of the Intelligence and Response and Recovery Subcommittees.

I also want to note a new Port Intelligence Center concept we are currently developing with DHS agencies. The center, which will be housed at a DHS facility, will focus on intelligence collection within the Port of New York and New Jersey.

Turning to our physical protection of the waterways, the Police Department currently deploys more assets to protect New York Harbor than any other single agency. Our harbor units join with the Coast Guard in boarding high profile vessels like the *Queen Mary 2* so as to provide additional security when it enters local waters.

**We also jointly enforce restricted zones for ships during events such as the U.N. General Assembly. In addition, police dive teams routinely inspect docking facilities and ship hulls for signs of tampering.**

**Our Special Operations Division has conducted drills in which police officers fast rope from helicopters onto ferries and party boats operating in New York Harbor. And we are prepared to do the same thing if confronted with a real need.**

**Our Harbor, Scuba, and Aviation units have also drilled in exercises with the U.S. Park Police in responding to mock incidents at the Statue of Liberty.**

**And under our “Nexus” program, detectives routinely visit port warehouses, trucking companies, and importers. They work with employees in these businesses to train them to report any suspicious activities.**

**As much as the Police Department and its law enforcement partners are doing at the local level, I also want to highlight the critical need for an effective international program to pre-screen cargo. The fact is the last place we should be looking to intercept a container that has been co-opted by terrorists is in a busy, congested, and commercially vital seaport. Ultimately, we should see to it that every container that arrives in a U.S. port has been pre-screened.**

**In Hong Kong, the public-private partnership that operates the port has developed a prototype in which 100% of the cargo that passes through its facilities is inspected for radiation and density distortions. The system guarantees that any container shipped through the port is thoroughly inspected for weapons of mass destruction.**

**I have been to Hong Kong and seen the incredible volume of cargo moving through that port. If it can be done there, it can be done anywhere. We need to replicate this system globally.**

**A 100% scanning regime is doable. It is effective. And it is affordable, especially when compared to the disastrous cost of a weapon of mass destruction smuggled into the country.**

**In a little publicized port security war game conducted in 2002, terrorists attacked the U.S. with dirty bombs sent in shipping containers. One hypothetical bomb was detected. The other wasn't. It blew up in Chicago and closed every U.S. seaport for more than a week. It also caused the Dow stock index to drop 500 points, and resulted in \$58 billion in damage.**

**This is the kind of nightmare scenario we have to prevent. Unfortunately, the fact that New York City's federal counterterrorism funding was just cut by 40% isn't going to help.**

**The Police Department had intended, for example, to use that funding in a new initiative to secure lower Manhattan with a comprehensive new camera network and other technology. It's not clear now if we'll be able to do that.**

**As if the decision to reduce the city's share of federal dollars wasn't baffling enough, last week the public learned of the latest terrorist plot to attack Hudson River tunnels. It is a further reminder of Al Qaeda's enduring obsession to target the world's financial capital - not just its ports, but also its bridges, tunnels, and subways. It is a wake up call that more must be done to harden New York's infrastructure, across the board, if we are to prevent disaster and defeat the terrorists.**